

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

MARGARET CRAIG, as next of
kin and personal
representative of the estate
of Angela Hulsey,

Plaintiff,

vs.

CHEATHAM COUNTY, TENNESSEE,
BEN MOORE, MARK BRYANT,
STEPHANIE GIZZI-BELL, JESSICA
PLANK, et al.,

Defendants.

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) No. 3:17-cv-01335
) JURY DEMAND
) JUDGE CAMPBELL
) MAGISTRATE HOLMES
)

The Deposition of
HARLEY DESTINY ALEXIS DURHAM
January 14, 2019

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1 brought in after she was arrested?

2 A. Yes, sir.

3 Q. Okay. And your observation was that it looked
4 like she had lost a lot of weight?

5 A. Yes, sir.

6 Q. Anything else?

7 A. That was it.

8 Q. Did you have any direct interaction with her
9 at that time?

10 A. Not that I can remember.

11 Q. And I think you told us earlier you personally
12 did not conduct her intake?

13 A. Correct.

14 Q. Were you on break at the time?

15 A. My shift hadn't started yet.

16 Q. So you were waiting to start your shift?

17 A. Yes, sir.

18 Q. Okay. What is your next recollection of any
19 interaction you had with Ms. Hulsey after that?

20 A. Just her asking for her vitals to be checked
21 the night that she was brought up to booking on medical
22 watch on my shift. She had told me that she wasn't
23 feeling well, but then had stated that she didn't do
24 good with staying sober.

25 When she asked me to take her vitals, I said I

1 would. When I came back to take her vitals, I was also
2 passing out medication and doing a head count and
3 security check.

4 Q. And I think I heard you say something about
5 "booking," and so let me make sure. Do you recall
6 relative to -- October 6th, I think, was date that she
7 got booked. Do you recall relative to October 6th when
8 this encounter took place?

9 A. That was the night, I think, of the 11th.

10 Q. All right. You don't recall any other
11 interaction with Ms. Hulsey from October 6th through the
12 10th?

13 A. I do not.

14 Q. Okay. So on the 11th is when she asked you
15 for her vitals to be taken?

16 A. Yes, sir.

17 Q. And she told you she was not feeling well?

18 A. Correct.

19 Q. Did she ever use the phrase "I feel like I'm
20 dying"?

21 A. No, sir.

22 Q. And at the time that this was going on, you
23 were doing head count and med pass?

24 A. And security check.

25 Q. And security check. And so did you do -- take

1 her vitals?

2 A. At this time, she was -- I had her sit across
3 from me at the table, and she did so. And when I began
4 to do -- to take her vitals, she had what appeared to me
5 as a seizure. I had reached over and grabbed her by the
6 front of her oranges to prevent her from falling and
7 hurting herself. I wasn't really in the position to be
8 able to go around the table in time to be able to like
9 take her to the floor, so...

10 Q. Ease her to the floor, I assume?

11 A. Sorry. Sorry. But I do recall that an inmate
12 did come over and assist me with it.

13 Q. Do you remember who that was, that other
14 inmate?

15 A. I do not recall.

16 Q. Do you remember if Tia Newman was involved in
17 that incident?

18 A. I don't remember if it was Tia Newman.

19 Q. Do you know Tia Newman?

20 A. I do.

21 Q. What about Deanna Brisco?

22 A. I don't recall if she was the one to assist
23 me.

24 Q. Okay. But there was some inmate that
25 assisted?

1 A. Yes.

2 Q. And the reason I was talking about "taking her
3 to the floor," in a correctional setting, I was
4 thinking --

5 A. Right.

6 Q. -- you know, going hands-on and maybe having
7 to restrain somebody.

8 A. No, no.

9 Q. This was not a use of --

10 A. No. This was ease her to the floor so she
11 wouldn't hurt herself.

12 Q. But not a use-of-force situation?

13 A. No, sir.

14 Q. Okay. Did you have to grab an ammonia
15 capsule?

16 A. I did not have the opportunity to as I was in
17 Big Dorm with her and the ammonia capsules are in
18 booking.

19 Q. That was my next question. I wanted to make
20 sure where this was, but this was in Big Dorm?

21 A. Yes, sir.

22 Q. Okay. So you grabbed her. Another inmate
23 assists. Do you get her to the floor? What happens
24 then?

25 A. We were able to ease her to the floor so she

1 can finish her seizure. We had then moved her to her
2 bunk, which was just mat in a plastic "boat," as we
3 called them. And by this point, I had radioed for Mark
4 Bryant to come back to the dorm.

5 Q. And was he your supervisor?

6 A. Yes, sir.

7 Q. Did you have any other supervisor on that
8 shift?

9 A. Mark, our corporal. Roger Temple was the
10 sergeant. And I think at that time, Josh Marriott was
11 the FTO.

12 Q. All right. So did she get moved back to the
13 bunk prior to Mark Bryant arriving?

14 A. Yes. We were able to move her there safely.

15 Q. Did you complete her vitals?

16 A. I was not able to complete her vitals.

17 Q. Did you get any of her vitals?

18 A. I did not. They would not read -- the blood
19 pressure wouldn't read on them.

20 Q. What about the pulse ox; did you try that?

21 A. I don't remember.

22 Q. And do you recall if you took her temperature?

23 A. No, sir.

24 Q. You don't recall or you --

25 A. I don't recall.

1 Q. So tell me what happened once Mark Bryant got
2 back there.

3 A. When he came back, I was still next to
4 Ms. Hulsey, and I had explained to him that she had what
5 appeared to me was a seizure, what had happened. We had
6 moved her back to her bunk. And by this point, he was
7 trying to speak with her, but her tongue was out, and so
8 she was trying to talk around it. He had asked her why
9 her tongue was out, just so he would have, I would
10 assume, a better understanding of what had happened.

11 Q. All right. And so she had difficulty speaking
12 because her tongue was out --

13 A. Yes, sir.

14 Q. -- following the seizure?

15 A. Yes, sir.

16 Q. She didn't have her tongue out before the
17 seizure, I take it?

18 A. Correct.

19 Q. Okay. Did she have any difficulty explaining
20 to you that she wasn't feeling good before the seizure?

21 A. No, sir. She was able to speak clearly.

22 Q. Could you make any other observations about
23 her condition other than her verbally telling you that
24 she didn't feel well?

25 A. Her just being shaky.

1 Q. All right. And you weren't able to get her
2 temperature. Do you know whether or not she felt hot or
3 felt cool?

4 A. I do not -- I do not remember. I'm sorry.

5 Q. Do you know if she appeared to be weak at all?

6 A. She appeared weak.

7 Q. Do you know if she was sweating at all?

8 A. I don't remember.

9 Q. I know we had a lot of reports of her having
10 bowel movements. Do you know if at that time she had
11 experienced a bowel movement?

12 A. No, not that I can remember. Not at that
13 time.

14 Q. All right. So after -- going back to Mark
15 Bryant is there, her tongue is out, and she's having
16 trouble talking because her tongue is out. He says,
17 "Why is your tongue out?" What happened after that?

18 A. He tried asking her more questions, but by
19 this point, we both knew that we needed to contact the
20 nurse. So we had her lay back down on her mat.

21 Mark went to booking to contact the nurse. I
22 felt comfortable enough that I can go -- I was able to
23 leave her there because she was still coherent. She was
24 laying down so she would not be able, if she did have
25 another seizure, to fall and hurt herself.

1 So I went over to isolation, which where it's
2 at is like extremely close to Big Dorm. I had kept the
3 isolation door propped open so if I needed to go back in
4 there I would be able to immediately go back in there.
5 And when I was in isolation --

6 Q. Was there an inmate in isolation? Why were
7 you going to isolation?

8 A. There were a few inmates in there.

9 Q. Okay. And you were in the midst of head
10 count, med pass, and security check?

11 A. And pass out their medications. Some of them
12 needed it.

13 Q. Okay.

14 A. While I was in there, within a few minutes
15 after we had left the dorm, she was escorted to booking.

16 Q. You didn't participate in escorting her to
17 booking, I take it?

18 A. Correct.

19 Q. So once you left for isolation, the next thing
20 you knew is she is being escorted. You don't know what
21 happened in the meantime?

22 A. No, sir.

23 Q. Did you ever discuss with Mark Bryant if he
24 contacted the nurse?

25 A. I did not.

1 Q. Did you ever discuss with the nurse whether
2 Mark Bryant had contacted her?

3 A. No, sir.

4 Q. All right. Do you know what information was
5 conveyed, if a communication between Mark Bryant and the
6 nurse took place?

7 A. That she had what appeared to me was a seizure
8 in front of me.

9 Q. And I guess my question is: Do you know that
10 that information was communicated to the nurse or --

11 A. I do not know.

12 Q. That's the information that you conveyed to
13 Mark Bryant?

14 A. Yes, sir.

15 Q. Okay. And as your supervisor, you expected
16 him to convey that then to the nurse?

17 A. Yes, sir.

18 Q. Okay. What, if any, other interaction did you
19 have with Ms. Hulsey?

20 A. After that, I didn't have any. I had
21 completed my head count and security check and med pass,
22 and I believe by that time she was placed in Cell 3 on
23 medical watch.

24 Q. Did you ever participate in any observation of
25 Ms. Hulsey while she was in medical observation or med